

CUYAHOGA FALLS CITY COUNCIL
Minutes of the Council Meeting

July 24, 2023

Call to Order: Mr. Balthis at 6:30 p.m.

Roll Call: Mr. Ashton, present; Mr. Balthis, present; Mr. Brillhart, present; Mr. James, present; Ms. Loza, present; Mr. Miller, present; Ms. Nichols-Rhodes, present; Mrs. Penta, present; Mr. Siegferth, present; Mrs. Spinner, present; Mr. Stams, present.

Invocation: Mrs. Spinner

Pledge of Allegiance: Mrs. Penta

Approval of Minutes: None

Reports and Communications: A Fiscal Officer's Certificate dated July 7, 2023, received from Mr. Bryan Hoffman, Finance Director, regarding bonds issued in the maximum principal amount of \$14,345,000 for Electric System Building Improvements.

A Fiscal Officer's Certificate dated July 7, 2023, received from Mr. Bryan Hoffman, Finance Director, regarding bonds issued in the maximum principal amount of \$1,720,000 for Electric Meters.

A Fiscal Officer's Certificate dated July 7, 2023, received from Mr. Bryan Hoffman, Finance Director, regarding bonds issued in the maximum principal amount of \$8,705,000 for Fire Station 1 and Natatorium Energy Improvements.

A Fiscal Officer's Certificate dated July 7, 2023, received from Mr. Bryan Hoffman, Finance Director, regarding bonds issued in the maximum principal amount of \$1,490,000 for Front Street, 2nd Street, Chestnut Boulevard and Sackett Avenue Area Improvements.

A Fiscal Officer's Certificate dated July 7, 2023, received from Mr. Bryan Hoffman, Finance Director, regarding bonds issued in the maximum aggregate principal amount of \$3,675,000 for Public Infrastructure Improvements.

A Fiscal Officer's Certificate dated July 7, 2023, received from Mr. Bryan Hoffman, Finance Director, regarding bonds issued in the maximum principal amount of \$4,595,000 for Water and Sanitary Sewer Meters.

A Fiscal Officer's Certificate dated July 20, 2023, received from Mr. Bryan Hoffman, Finance Director, regarding bonds issued in

the maximum principal amount of \$145,000 for Wyoga Lake, Seasons Road and Intersection.

A Fiscal Officer's Certificate dated July 20, 2023, received from Mr. Bryan Hoffman, Finance Director, regarding bonds issued in the maximum principal amount of \$1,255,000 for Princeton Place Improvements.

A Fiscal Officer's Certificate dated July 20, 2023, received from Mr. Bryan Hoffman, Finance Director, regarding bonds issued in the maximum principal amount of \$700,000 for Wyoga Lake Improvements.

New Legislation
(First Reading)

Temp. Ord. B-91 (Finance)

An ordinance providing for the issuance and sale of notes in the maximum principal amount of \$1,255,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of acquiring, constructing, reconstructing, improving, equipping and installing 3,400 lineal feet of sanitary sewer lines, 3,550 feet of water main lines and 8,000 lineal feet of electrical conduit wiring, related storm sewer lines and retention, erosion control and landscaping along Princeton Place Boulevard, Nottingham Trail, Bainbridge trail and Kensington Court, and declaring an emergency.

Temp. Ord. B-92 (Finance)

An ordinance providing for the issuance and sale of notes in the maximum principal amount of \$700,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of the construction, reconstruction, widening, improving, grading, draining and resurfacing of Wyoga Lake Road between Steels Corners Road and Seasons Road, together with all related and necessary appurtenances thereto, and declaring an emergency.

Temp. Ord. B-93 (Finance)

An ordinance providing for the issuance and sale of notes in the maximum principal amount of \$145,000, in anticipation of the issuance of bonds, for the purpose of paying the costs of the design and engineering, construction, reconstruction, widening, improving, grading, draining and resurfacing of, and installation of traffic controls along, and the intersections of, State Road, Seasons Road and Wyoga Lake Road, and a traffic study of those roads and related areas, including but not limited to the extension, opening, improving, curbing or changing of the lines and traffic patterns of roads, highways, streets, intersections, bridges (both roadway and pedestrian), sidewalks, bikeways, medians and viaducts, providing signage, lighting systems, signalization, and installation of stormwater and flood remediation facilities, together with all related and necessary appurtenances thereto, and declaring an emergency.

Temp. Ord. B-94 (Public Improvements)

An ordinance authorizing the Mayor to apply for and accept financial assistance in the form of a grant or loan from the Ohio Public Works Commission for the improvement of Haas Road and Wetmore Road, from Crawford Circle to Akron-Peninsula Road, authorizing the mayor to enter into a cooperative agreement or agreements with Summit County and Boston Township, and declaring an emergency.

Temp. Ord. B-95 (Community Development)

An ordinance approving and authorizing the purchase of pre-fabricated ADA restrooms from Romtec for a public facilities & improvements project, and declaring an emergency.

Temp. Ord. B-96 (Community Development)

An ordinance approving and authorizing the purchase of various locker room equipment from Tower Industries for a public facilities & improvements project, and declaring an emergency.

Council recessed at 6:39 p.m. and reconvened at 6:52 p.m.

Reports of Council's Standing Committees

(Third Reading)

Planning & Zoning:

Temp. Ord. B-76

An ordinance accepting the recommendation of the Planning Commission for the construction of a new fire station and training facilities for the Cuyahoga Falls Fire Department, located at 3097 Northampton Road, and declaring an emergency.

Mr. Stams moved to amend Temp. Ord. B-76 so that the training facility's north and east boundary facing Keyser Park be enhanced with heavier landscape screening and mounding so it is not visible from the park on its north and east boundary, second by Mr. James. Amendment carries, voice vote (11-0).

Mr. Stams moved to amend Temp. Ord. B-76 to limit the number of live burns to 36 days per year, with the understanding that there will be multiple burn evolutions on all of those 36 days, second by Mr. James. Amendment carries, voice vote (11-0).

Mr. Ashton moved to amend Temp. Ord. B-76 to require the fire staff not conduct any live burn trainings if the AQI (Air Quality Index) would reach a point 150 or more, known as the red index, second by Ms. Nichols-Rhodes. Amendment carries, voice vote (11-0)

Ms. Nichols-Rhodes moved to amend Temp. Ord. B-76 so that only that only Class A materials consistent with current EPA and NFPA 1402 and 1403 standards would be used in live burn trainings, and only water and Class A extinguishers be used to extinguish fires during training classes, second by Mr. Brillhart. Amendment carries, voice vote (11-0).

Mrs. Spinner moved to adopt Temp. Ord. B-76 as amended by Mr. Stams, Mr. Ashton and Ms. Nichols-Rhodes, second by Mr. James. Roll Call: Mr. Ashton, Yes; Mr. Balthis, Yes; Mr. Brillhart, Yes; Mr. James, Yes; Ms. Loza, Yes; Mr. Miller, Yes ; Ms. Nichols-Rhodes, Yes; Mrs. Penta, Yes; Mr. Siegferth, Yes; Mrs. Spinner, Yes; Mr. Stams, No. Motion passes, 10-1. (Stams)

Finance & Appropriations:

Temp. Ord. B-77

An ordinance providing for supplemental and/or amended appropriations of money for current operating expenses and capital expenditures of the City of Cuyahoga Falls, and authorizing the transfer of appropriations within and for the various funds hereinafter set forth, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-77, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. B-78

An ordinance accepting applications submitted by financial institutions and designating depositories for the active and interim funds of the City of Cuyahoga Falls for the five year period beginning August 23, 2023 and ending August 22, 2028, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-78, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Temp. Ord. B-79

An ordinance authorizing the Director of Public Service to enter into a contract or contracts with Montrose Ford to purchase a truck for concrete work, increasing appropriations, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-79, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. B-80

An ordinance providing for the issuance and sale of bonds in the maximum aggregate principal amount of \$14,345,000, for the purpose of paying the costs of constructing, improving, equipping and installing a new building for the Electric Utility including acquisition of real estate together with all necessary appurtenances thereto, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-80, second by Mr. Brillhart. Motion passed, voice vote (10-0). (Balthis abstained)

Temp. Ord. B-81

An ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$1,720,000, for the purpose of paying the costs of the acquisition and installation of Electric System meters, together with all necessary appurtenances thereto, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-81, second by Mr. Miller. Motion passed, voice vote (10-0). (Balthis abstained)

Temp. Ord. B-82

An ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$8,705,000, for the purpose of paying the costs of various energy improvements including but not limited to: (a) the acquisition and installation of windows and doors, and exterior renovations at Fire Station 1, and (b) the acquisition and installation of HVAC equipment and improvement of the skylights at the Natatorium procured under a single energy improvement contract, together with all necessary appurtenances thereto, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-82, second by Mr. Brillhart. Motion passed, voice vote (10-0). (Balthis abstained)

Temp. Ord. B-83

An ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$1,490,000, for the purpose of paying the costs of public infrastructure improvements, including (a) the construction, extension, opening, improving, grading, draining, excavation, lighting, curbing, signalization and traffic controls along Front Street, 2nd Street, Chestnut Boulevard, Sackett Avenue and the two new public roadways to be constructed, (b) the construction of two new roadways, (c) the construction and installation of sanitary sewers along Front Street, 2nd Street, Chestnut Boulevard, Sackett Avenue and the two new public roadways, and (d) the construction and installation of sidewalks, the construction and installation of stormwater sewers, and the acquisition and installation of electrical lines, each along Front Street, 2nd Street, Chestnut Boulevard, Sackett Avenue and the two new public roadways to be constructed, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-83, second by Mr. Miller. Motion passed, voice vote (10-0). (Balthis abstained)

Temp. Ord. B-84

An ordinance providing for the issuance and sale of bonds in the maximum aggregate principal amount of \$3,675,000, for the purpose of paying the costs of various public infrastructure projects, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-84, second by Mr. Brillhart. Motion passed, voice vote (10-0). (Balthis abstained)

Temp. Ord. B-85

An ordinance providing for the issuance and sale of bonds in the maximum principal amount of \$4,595,000, for the purpose of paying the costs of acquisition and installation of Water System meters for use by the Water and Sanitary Sewer Systems, together with all necessary appurtenances thereto, and declaring an emergency.

Ms. Nichols-Rhodes moved to adopt Temp. Ord. B-85, second by Mr. Miller. Motion passed, voice vote (10-0). (Balthis abstained)

Public Improvements:

Temp. Ord. B-86

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, after publicly advertising for bids, for the replacement of the roof on the Annex Salt Dome, located at 2511 Bailey Road, and declaring an emergency.

Mrs. Penta moved to adopt Temp. Ord. B-86, second by Mr. Stams. Motion passed, voice vote (11-0).

Temp. Ord. B-87

An ordinance pledging support and participation in the United States Environmental Protection Agency's efforts to remove the Gorge Dam along the Cuyahoga River, authorizing financial cooperation thereof, and declaring an emergency.

Mrs. Penta moved to adopt Temp. Ord. B-87, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. B-88

An ordinance authorizing the Mayor to apply for and accept financial assistance in the form of a grant from the Federal Congestion Mitigation/Air quality Funds programmed by the Akron Metropolitan Area Transportation Study for the improvement of State Road from Quick Road to Boulder Boulevard, and declaring an emergency.

Mrs. Penta moved to adopt Temp. Ord. B-88, second by Mr. Stams. Motion passed, voice vote (11-0).

Temp. Ord. B-89

An ordinance authorizing the Director of Public Service to enter into a contract or contracts, after publicly advertising for bids, for the public improvements for The Glens subdivision, and declaring an emergency.

Mrs. Penta moved to adopt Temp. Ord. B-89, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. B-94

An ordinance authorizing the Mayor to apply for and accept financial assistance in the form of a grant or loan from the Ohio Public Works Commission for the improvement of Haas Road and Wetmore Road, from Crawford Circle to Akron-Peninsula Road, authorizing the mayor to enter into a cooperative agreement or agreements with Summit County and Boston Township, and declaring an emergency.

Mrs. Penta moved to adopt Temp. Ord. B-94, second by Mr. Stams. Motion passed, voice vote (11-0).

Public Affairs:

No Report.

Community Development:

Temp. Ord. B-74

An ordinance authorizing the Mayor to enter into a Community Reinvestment Area Agreement with BVI Realty, LLC and declaring an emergency.

Mr. Ashton moved to adopt Temp. Ord. B-74, second by Mr. Siegfert. Motion passed, voice vote (11-0).

Temp. Res. B-90

A resolution authorizing the Mayor to apply to the 2023-2024 Clean Ohio Fund - Green Space Conservation Program and commit the 25% required match funds to acquire property on Peoplecare Park Drive adjacent to Mill Pond, and declaring an emergency.

Mr. Ashton moved to adopt Temp. Res. B-90, second by Siegfert. Motion passed, voice vote (11-0).

Temp. Ord. B-95

An ordinance approving and authorizing the purchase of pre-fabricated ADA restrooms from Romtec for a public facilities & improvements project, and declaring an emergency.

Mr. Ashton moved to adopt Temp. Ord. B-95, second by Mr. Miller. Motion passed, voice vote (11-0).

Temp. Ord. B-96

An ordinance approving and authorizing the purchase of various locker room equipment from Tower Industries for a public facilities & improvements project, and declaring an emergency.

Mr. Ashton moved to adopt Temp. Ord. B-96, second by Mr. Siegferth. Motion passed, voice vote (11-0).

Schedule of Committee Meetings

Planning & Zoning:	Subject to Call.
Finance:	September 5, 2023, at 6:30 p.m.
Public Improvements:	Subject to Call.
Public Affairs:	Subject to Call.
Community Development:	Subject to Call.

Miscellaneous Business

Ms. Ella George, 2562 Third Street, Cuyahoga Falls, addressed Council regarding trash found on the banks around the Cuyahoga River. While collecting data at the river with members of a class, they found a number of bottom-dwelling species associated with poor water quality, with the worst concentration at Riverfront and Water Works. She asked Council to consider adding a trash reduction system into the 2024 budget, incorporating inlet screen covers along the lowest collection points. These are grates with small openings that would prevent debris from flowing into the river.

Ms. Diana Colavecchio, Community Development Director, presented the quarterly Economic Development Report. The amount of \$340,157,000 has been pledged to the City by new and relocating businesses as new investment in the city. Her department will monitor the jobs that would be coming along with that. Most of what is happening in the city is new development, and it speaks loudly about the good work that Council has been engaged in and has supported. Also shown at the bottom of the report presented to Council are interdepartmental numbers about issues that they gauge. Everything is up, more permits, more housing complaints and other permits. New housing permits are down. They have built less homes in the first six months of 2023 as opposed to the first six months of 2022. They will be back in October with the third quarter report.

Mr. Bryan Hoffman, Finance Director presented Report 21 for the month of June. In the General Fund Revenue line item, the City will be receiving the second-half settlement for property taxes at the end of August or beginning of September. They anticipate having a similar number to 2022 into 2023. Under Interest Income, the one item of note is that they have almost hit their total budget number for interest revenue. Increases to interest rates and the amount of cash on hand has attributed to that number being pretty high. They anticipate coming in just about double what the budget number is. The rest of the items in the General Fund are moving along normal projections.

The Municipal Income Tax number is continuing to gain prominence amongst the total revenues in the City, They see that number tend to increase this year over last year at this point. Through June, they had a 10.6 increase to the income tax numbers. In Street Construction, Maintenance and Repairs, they are seeing gasoline tax coming in a little bit above last year. Motor vehicle tax is coming in flat, as well, and there is a small increase in the Hotel-Motel Tax. Under the Leisure

Time Fund, in the Parks Department Facilities in the City, the Natatorium has had a good first half of the year. That was the one facility that they have been watching closely that has taken some time on its recovery from Covid. They saw a 13.5 percent increase between 2022 and 2023 and are hopeful they continue to see those gains in the Natatorium. Waterworks was down about 7.3 percent due to a rainy and stormy June. On the golf course side, they are seeing a 24-percent increase in charges for services. In correlation with the golf course, they are seeing Downview at a 10-percent increase over 2022. In the Self Insurance Fund, they are also seeing a very good 2023. On the Medical and Dental side, they are seeing a drop in claim activity of about 26 percent from 2022. On Prescription Drugs, they are seeing a drop of about 15 percent from 2022. They are continuing to think about premium holidays for medical and insurance premiums that they do share with employees.

Ms. Nichols-Rhodes stated that she owns a plug-in hybrid vehicle and has to pay a fee when purchasing plates and stickers. She asked if the City receives that money. Mr. Hoffman stated that he would have to check to see the exact breakdown of the license fees that the City would receive, but they do receive a small portion of that, and that would be reflected in the Motor Vehicle License line item, not the Gas Tax line item.

Mr. James moved to adjourn, second by Mr. Brillhart. Motion passed, voice vote (11-0).

Meeting adjourned at 7:53 p.m.

Russ Balthis, Council President

Dana M. Capriulo, Clerk of Council